

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

MICHAEL T. DREHER, on behalf of himself *
and other similarly situated, *

Plaintiff,

Civil Action No.: 3:13-CV-140

v.

ATLANTIC REMODELING CORP,

Defendant.

* * * * *

DEFENDANT ATLANTIC REMODELING CORP.'S
RULE 26(a) INITIAL DISCLOSURES

Defendant Atlantic Remodeling Corp. (“Atlantic Remodeling”) by its undersigned counsel, hereby makes the following required disclosures in the above-captioned matter pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Atlantic Remodeling makes these disclosures based on the information reasonably available to it. Atlantic Remodeling has not fully completed its investigation and reserves the right to amend and/or supplement any or all of these disclosures during the course of this litigation:

1. **Rule 26(a)(1)(A)(i):** the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

- a. Michael Dreher, 11021 Byrd Drive, Fairfax, Virginia 22030. The subjects include: the facts and allegations alleged in the complaint including whether he received any documents from Atlantic Financial, Inc..
- b. Scott Austin, Atlantic Financial, Inc., 11720 Beltsville Drive #160, Beltsville, MD 20705; Tel: 301-277-7600. The subjects include: Atlantic Financial’s relationship with Atlantic Remodeling; the process followed by Atlantic Financial in making credit decisions with respect to credit

applications received from Atlantic Remodeling; whether Atlantic Remodeling participated in any respect in the credit decision-making process; Atlantic Financial's policy and practice in providing adverse action notices to applicants who are denied credit; and the adverse action notice Atlantic Financial provided to plaintiff.

- c. Tara Oswalt, Atlantic Remodeling, 8015 Corporate Dr., Suite H, Baltimore, Maryland 21236; Tel: 410-933-1025. The subjects include: the documents produced by Atlantic Remodeling in response to the subpoena *duces tecum* served in the case styled *Dreher v. Experian Information Solutions, Inc.*, No. 11-cv-00624 (E.D. Va.); plaintiff's application for credit that was submitted to Atlantic Financial for consideration; whether Atlantic Remodeling is involved in any respect in the credit decision making process relative to credit applications submitted to Atlantic Financial; whether Atlantic Remodeling participated in Atlantic Financial's decision not to extend credit to plaintiff.
- d. Brendan Stackpole, Atlantic Remodeling, 8015 Corporate Dr., Suite H, Baltimore, Maryland 21236; Tel: 410-933-1025. The subjects include, whether Atlantic Remodeling is involved in any respect in the credit decision-making process relative to credit applications submitted to Atlantic Financial; whether Atlantic Remodeling participated in in Atlantic Financial's decision not to extend credit to plaintiff

2. **Rule 26(a)(1)(A)(ii):** a copy or description by category and location of all documents that the disclosing party has in its possession, custody and control and may use to supports its claims or defenses, unless the use would be solely for impeachment purposes: Contemporaneous with the service of these disclosures, Atlantic Remodeling has produced documents, Bates stamped ARC 00001-7. Investigation continues.

3. **Rule 26(a)(1)(A)(iii):** a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered: Not applicable.

4. **Rule 26(a)(1)(A)(iv):** for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy

part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment: Counsel for Atlantic Remodeling has custody of a policy of insurance, number S 1569831, issued by Selective Insurance Company to The Atlantic Remodeling Corporation. Atlantic Remodeling will make the policy available for Plaintiff's inspection and copying upon request. The existence of the insurance policy should not be construed as a representation, admission, or concession that the policy may cover any portion of a judgment that may be entered in this action.

Defendant Atlantic Remodeling Corp. reserves its rights and obligations to supplement these responses pursuant to Rule 26(e) of the Federal Rules of Civil Procedure.

Respectfully submitted,

/s/

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**Attorneys for Defendant
Atlantic Remodeling Corp.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May 2013, a copy of Defendant Atlantic Remodeling Corp.'s Rule 26(a) Initial Disclosures was electronically mailed to all counsel of record and was also sent by first-class mail, postage prepaid, to

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